

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

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**Meeting Date:** 7/25/2000

**Reference No.:** CB-45-2000

**Proposer:** Bailey

**Draft No.:** 2

**Sponsors:** Bailey

**Item Title:** An Ordinance permitting manufacture of modular buildings, structural products made of clay, concrete, glass, stone or similar materials, and adult day care in the I-1 Zone under certain circumstances

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**Drafter:**

**Resource** Rhonda Walker  
**Personnel:** Legislative Aide

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**LEGISLATIVE HISTORY:**

**Date Presented:** 5/9/2000

**Executive Action:** \_\_/\_\_/\_\_\_\_ \_\_

**Committee Referral:** 5/9/2000 PZED

**Effective Date:** \_\_/\_\_/\_\_\_\_

**Committee Action:** 5/23/2000 HELD

**Committee Action:** 6/7/2000 FAV(A)

**Date Introduced:** 6/27/2000

**Public Hearing:** 7/25/2000 11:00 A.M.

**Council Action:** 7/25/2000 MOTION TO RECOMMIT

**Council Votes:** DB:A, JE:A, IG:N, TH:N, WM:A, RVR:N, AS:N, PS:N, MW:N

**Pass/Fail:** F

**Remarks:** \_\_\_\_\_

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7/25/2000: Motion to enact failed for lack of second

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**PLANNING, ZONING AND ECON. DEV. COMMITTEE REPORT**

DATE: 6/7/2000

Committee Vote: Favorable with amendments, 3-0 (In favor: Council Members Russell, Maloney and Wilson).

Staff presented a Proposed Draft-2 (DR-2) to the Committee that includes language limiting the manufacturing use to the Walker Mill Business Park site and to address the Planning Board's recommendation as discussed at the prior Committee meeting. Footnote 40 on page 2 of the bill is

amended in the new draft to read as follows: “The use is permitted in the I-1 Zone if: (a) All operations are conducted in an enclosed building; (b) The property’s area exceeds fifteen (15) acres; (c) The property fronts on two (2) or more public streets, one having a minimum right-of-way width of one-hundred twenty (120) feet, and (d) The property is located at an intersection where the properties at two (2) other corners of said intersection are, at the time of the initial building permit, zoned C-O and R-18.”

Michele LaRocca provided additional information on the transportation plan indicating that correspondence was forwarded on May 24, 2000 to Mr. Freddie Dawkins, President, Coalition of Central Prince George’s County Community Organizations, concerning the truck route and number of trucks entering and leaving McAfee Park manufacturing plant for his review and comment.

Council Member Maloney inquired about the purpose of the Day Care Center for Children and the Adult Day Care component for the manufacturing plant. Paul Wharton explained that these are intended to be affordable services for the employees that will eliminate a large percentage of absenteeism and tardiness by the employees if this is a permitted use. Mr. Maloney proposed an amendment to the legislation that would limit the day care (for adults and children) to employees of the plant to ensure that this does not become a day care business. A motion for this amendment failed due to lack of a second. Council Member Russell suggested that such an amendment could also be considered at the time of the public hearing on the legislation with concurrence from the Principal Counsel that it would not be considered substantive.

The Committee voted favorably on the bill as amended in Proposed DR-2 with the inclusion of Footnote 40.

## **PLANNING, ZONING AND ECON. DEV. COMMITTEE REPORT**

Date: 5/23/2000

Staff summarized the amendments to the Zoning Ordinance proposed by CB-45-2000. This legislation amends the Industrial Use Tables to permit manufacture of modular buildings, structural products made of clay, concrete, glass, stone or similar materials in the I-1 Zone where this use is currently prohibited. It also permits adult day care centers in the I-1 and I-2 Zones if developed in conjunction with a day care center for children.

Council Member Bailey, the bill’s sponsor, explained that the legislation is intended to facilitate the location of a 16-acre development that will include a manufacturing plant, McAfee Park, in the Walker Mill Business Park. Michele LaRocca, representing Community Development Partners (CDP), LLC, provided additional information on the proposed plant which will manufacture wood and lightweight steel frame modular structures that may be designed for both residential and commercial use. Ms. LaRocca also explained that the development will include daycare for the children and seniors of its employees. The operators of the proposed facility, JM Limited and McAfee Manufacturing Company, operate a similar housing manufacturing facility in Wichita, Kansas. Paul Wharton, CDP, spoke in support of the bill indicating that the manufacturing plant will create approximately 200 permanent jobs.

Council Member Russell commented that citizens in the surrounding community have expressed concern regarding truck traffic in this area. Ms. LaRocca explained that CDP is aware of these concerns and that a traffic plan was prepared by O.R. George and Associates to address traffic

generated by the proposed development especially at the intersection of Pennsylvania Avenue and Silver Hill Road.

Council Member Estepp inquired about the applicability of this legislation to other properties and whether language could be incorporated to limit it to the Walker Mill Business Park site.

The Legislative Officer and the Office of Law determined that the bill is in proper legislative form. The County Executive takes no position on the legislation. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting this legislation.

The Planning Board supports CB-45-2000 with an amendment to add a footnote in both manufacturing uses in the I-1 Zone column of the Industrial Use Table to read: “For properties in excess of 10 acres and located within 300 feet of residentially-zoned land, the manufacturing operation shall be conducted within a wholly enclosed building. Otherwise, a Special Exception is required.” The Board provided the following discussion concerning this recommendation.

The I-2 Zone is more intense than I-1, and it currently requires a special exception to manufacture Modular Buildings and Structural Products if the property exceeds 10 acres, etc. As drafted, this bill would permit these uses in the less intense I-1 Zone with no restrictions or safeguards. Therefore, it is recommended that similar safeguards be imposed in the I-1 Zone to protect surrounding properties.

Day Care Centers for Children are currently permitted uses in commercial and industrial zones (in accord with Sections 27-464.02 and 27-475.02, respectively). Adult Day Care requires a special exception in all commercial zones, except C-M where it is permitted. The use is permitted in the I-3 and U-L-I Zones which require site plan review. It is also permitted in the I-2 Zone in conjunction with or abutting 50,000+ square feet of office space. CB-45-2000 will allow the use in the I-1 and I-2 Zones under slightly expanded circumstances.

The Committee voted to hold the legislation until the June 7<sup>th</sup> meeting so the staff could have an opportunity to develop language that narrows the applicability to the site discussed during the worksession.

## **BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

Manufacturing of modular buildings and manufacturing or cutting of structural products made of clay, concrete, glass, stone, or similar materials are prohibited uses in the I-1 Zone. This legislation amends the Industrial Use Tables in the Zoning Ordinance to permit these uses in the I-1 Zone. The legislation also expands the circumstances allowing adult day care centers in the I-1 Zone.

## **CODE INDEX TOPICS:**